

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS

MAR 24 2006

JAMES W. McCORMACK, CLERK  
By: *[Signature]* DEP CLERK

**United States District Court**  
**for the**  
**Eastern District of Arkansas**

**Request for Modifying the Conditions or Term of Supervision**  
**with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Gregory Griggs

Case Number: 4:95CR00201-02 JMM

Name of Sentencing Judicial Officer: Honorable ElsiJane T. Roy  
United States District Judge

September 12, 2002, case reassigned to  
Honorable James M. Moody  
United States District Judge

Offense: Robbery of a post office

Date of Sentence: September 10, 1996

Sentence: 120 months Bureau of Prisons, 3 years supervised release, mandatory drug testing, \$15,000 fine, and \$50 special penalty assessment

Type of Supervision: Supervised release      Date Supervision Commenced: March 10, 2005  
Expiration Date: March 9, 2008

Asst. U.S. Attorney: Jana Harris

Defense Attorney: Jerome Kearney

U.S. Probation Officer: Gregg H. Jumper  
Phone No.: 501-604-5262

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

**The defendant shall participate in a drug or alcohol abuse treatment program approved by the United States Probation Office, which may include substance abuse testing, counseling, residence in a Community Confinement Center, residence in a Comprehensive Sanctions Center, or inpatient treatment in a treatment center or hospital. The defendant shall pay for the costs associated with substance abuse services based on a co-payment fee established by the United States Probation Office. Co-payments shall never exceed the total cost of services provided.**

**The defendant is not financially able to pay the \$15,000 fine which was imposed at the time of sentencing. The special condition requiring that the defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release shall be held in abeyance until such time as the probation office determines that the defendant is financially able to make payments toward the fine.**

-Prob 12B

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Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender

Name of Offender: Gregory Griggs

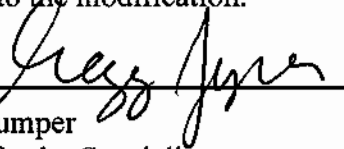
4:95CR00201-02 JMM

## CAUSE

On September 10, 1996, Mr. Griggs was sentenced by the Honorable Elsjane T. Roy on charges of robbery of a post office to 120 months Bureau of Prisons. Supervised release began on March 10, 2005, in the Eastern District of Missouri. At the time of sentencing, Mr. Griggs was ordered to pay a fine of \$15,000 which was due immediately. Based on Mr. Griggs' own report, he has made no payments toward this fine. Mr. Griggs notes he is financially unable to make any payments toward the fine. He is currently employed by D&D Janitorial in St. Louis, Missouri, earning less than \$800 per month and has documented expenses of approximately \$900 per month.

Mr. Griggs failed to submit urine specimens on May 4, 10, 18, and 19; June 21; October 10; November 9; December 10 and 28, 2005; and January 24, 2006. In addition, several sweat patches were applied to the Mr. Griggs' body and on July 22, 29, and September 26, 2005, Mr. Griggs reported to the drug testing contractor with the patches in hand, and stated the patches fell off. In each instance, the absorbent material inside the patches was missing.

Mr. Griggs' attorney, Assistant Federal Public Defender Jerome Kearney, has been contacted and has no objection to the above noted modification. On February 2, 2006, Mr. Griggs signed a Probation Form 49 agreeing to the modification.

  
Gregg H. Jumper  
Special Offender Specialist

Date: 3-20-06

  
Jana Harris  
Assistant U.S. Attorney

Date: 3-22-06

This form is to be filed with Criminal Docketing as a motion.

## THE COURT ORDERS:

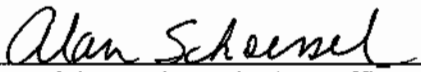
- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
Signature of Judicial Officer

3/24/06  
Date

This form is to be filed with Criminal Docketing as an order and/or petition.

Approved:

  
\_\_\_\_\_  
Supervising U.S. Probation Officer

c: Assistant Federal Public Defender, Jerome Kearney, 1401 West Capitol Avenue, Suite 490, Little Rock, AR 72201  
Assistant U.S. Attorney, Jana Harris, P.O. Box 1229, Little Rock, AR 72203

PROB 49  
(3/89)

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF MISSOURI**

**WAIVER OF HEARING TO MODIFY CONDITIONS  
OF PROBATION/SUPERVISED RELEASE OR EXTEND TERM OF SUPERVISION**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision.

The defendant shall participate in a drug or alcohol abuse treatment program approved by the United States Probation Office, which may include substance abuse testing, counseling, residence in a Community Corrections Center, residence in a Comprehensive Sanctions Center, or inpatient treatment in a treatment center or hospital. The defendant shall pay for the costs associated with substance abuse services based on a co-payment fee established by the United States Probation Office. Co-payments shall never exceed the total cost of services provided.

At this time, the defendant is not financially able to pay the \$15,000.00 fine which was imposed at the time of sentencing. The special condition requiring that the defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release shall be held in abeyance until such time as the probation office determines that the defendant is financially able to make payments toward the fine.

Witness: Michael P. McDermott Signed: Gregory Grigs  
U.S. Probation Officer Probationer or Supervised

2/2/06  
Date